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Honorable Judge Arlene R. Lindsay
United State District Court
Eastern District of New York
814 Federal Plaza
Central Islip, New York 11722

Shanghai Zhenglang Technology Co., Ltd v. Mengku Technology Co., Ltd et al.
Case No. 2:20-cv-05209-JS-ARL

Re: Joint Motion for Extension of Discovery Deadline

June 3, 2022

Dear Hon. Judge Lindsay,

We represent Defendants in the above-referenced matter, and write to respectfully request the Court extend the discovery deadline (and other deadlines provided in the Court's Order dated March 10, 2022) for 3 months as follows:

- 1) Discovery cut-off to September 12, 2022, Monday.
- 2) Deadline to take the first step to make a dispositive motion to September 26, 2022, Monday.
- 3) Adjourn the final-pretrial conference to October 14, 2022, Friday or another day thereafter which the court deemed convenient.
- 4) Joint-pretrial order due by October 14, 2022.

Plaintiff consents to such a request.

The discovery including expert discovery cut-off day is June 10, 2022 per the Court's March 10, 2022 Order. This is the fourth request made by parties. Good cause exists for the Court to grant the parties' motion for extension at least for the following reasons:

First, because of the recent Covid-19 lock down of the City of Shanghai in China, the parties have not been able to make arrangements for Plaintiff's witnesses to travel from Shanghai to Hong Kong or Macau for depositions.¹ Although the Shanghai lock down was lifted on June 1, 2022, there are still quarantine requirements for persons travelling from Mainland China to Hong Kong or Macau as of today. See <https://www.coronavirus.gov.hk/eng/inbound-travel.html#quarantinemeasures1> (Hong Kong has at least 7 days of quarantine requirement for fully vaccinated people) and <https://www.gcs.gov.mo/ncv/annex/index.html?p=1&l=en&s=o>

¹ Plaintiff's witnesses are located in Shanghai, China. Defendants' witnesses are located in Hangzhou, China. This district has found that Chinese law did not permit deposition of witnesses within China, even via videoconferencing. *Ji v. Jling Inc.*, 15-CV-4194 (SIL), at *10-12 (E.D.N.Y. Mar. 31, 2019). Thus, the parties' witnesses need to travel to Hong Kong or Macau for remote deposition.

(Macau has at least 7 days of medical observation requirement (*a.k.a.* quarantine) for persons from Shanghai). In addition, on May 9, 2022, the Court issued an Order (Dkt. No. 77) which granted Defendant Mengku Technology Co., Ltd.'s motion for leave to serve additional interrogatories (Dkt. No. 60) and denied Plaintiff's motion and amended motion to quash third party subpoenas, motion for protective order and stay (Dkt. Nos. 65 and 66). The parties may need additional time to conduct the party depositions and wrap up existing written discoveries just approved by the Court.

Second, the parties have recently renewed settlement negotiations and need additional time to discuss settlement terms.

Third, the Court has not ruled on Plaintiff's motion to dismiss on Defendants' copyright claims.

Additionally, parties do not intend to serve additional demands after the current discovery cut off day.

In light of the above, parties respectfully request the Court to grant an extension for 3 months to complete discovery to September 12, 2022 and move other deadlines accordingly.

We thank the Court for its attention to this matter.

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